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MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

EXAMINER
BARTLEY, KENNETH

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/701,235	WEST, ROBERT A.
		Examiner	Art Unit
		KENNETH L. BARTLEY	3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 December 2007*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-6,11-16 and 31-40* is/are pending in the application.
      4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1, 3-6, 11-16, and 31-40* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
         1.☐ Certified copies of the priority documents have been received.
         2.☐ Certified copies of the priority documents have been received in Application No. _____.
         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   Receipt of Applicant's amendment and response filed on December 5, 2007 is

acknowledged.

2.   There are no claim amendments. Claims 1, 3-6, 11-16, and 31-40 are pending in

the application and are provided to be examined upon their merits.

3.   The Examiner has rejected the claims on new grounds of rejection. Accordingly

this action is made a non-final action.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 3-6, 11-16, and 31-40 have been

considered but are moot in view of the new ground(s) of rejection. However, the

Examiner did review the remarks and provides a response (in **bold**) below where

appropriate.

Applicant reviews status of claims on page 2 of Remarks page:

I. Status of the Claims
Claims 1, 3-6, 11-16, and 31-40 are currently pending. Of those claims, claims 1, 3-9,
11, 14, 15, and 31-40 are rejected under 35 USC 103(a) as being unpatentable over
U.S. Patent No. 5,339,392 to Risberg in view of U.S. Patent No. 7,082,398 to Apple.
The remaining claims, claims 12, 13, and 16 are rejected under 35 USC 103(a) as being
unpatentable over U.S. Patent No. 5,339,392 to Risberg in view of Apple, and in further
view of Official Notice. Applicant respectfully traverses these rejections based on at
least the remarks provided herein.

Applicant argues 35 U.S.C. § 103 rejection beginning on page 2:

II. Rejection under 35 U.S.C. § 103
Looking first to claim 1, the Office makes the rejection of Applicant's independent claim 1 on pages 3-4 of the Office Action by citing to various sections in both Risberg and Apple. Yet, neither reference discloses, among other things, the Applicant's claimed recitation of two different states, where the first state is one arrangement of windows in the workspace and the second state is a different arrangement of the same windows in the workspace than the first state. For instance, Applicant's claim 1, according to the first feature, recites, "... each of the plurality of windows is displayed according to a first state in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace," and according to the fourth feature of claim 1, recites, "...the second state comprising a different arrangement of the plurality of windows in the workspace than the first state."

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The Examiner points out that both Risberg et al. and Apple et al. teach event driven displays for financial applications. Risberg et al. teaches two different states (Fig. 2) and Apple et al. teaches a state editor, which allows changing the current state of the wall and different displays (col. 16, lines 33-39).

The Applicant continues at the bottom of page 4:
On page 4 of the Office Action, the Office cites to a few sections in Risberg as disclosing this feature of Applicant's claim 1, which includes the recitation of the "second state," such as defined in claim 1. Particularly, the Office cites to Risberg, col. 10, lines 9-11, which refers to a "script" that defines a string of commands that are executed in sequence. The Office also cites to Risberg, col. 10, lines 19-21, which states that when an update comes in which triggers an alert, the script takes the "quote object" into the "alert state." Applicant respectfully submits that this rather general and vague disclosure, by itself, is not enough to support a prima facie case of obviousness. As such, Applicant reviewed Risberg further to understand what is meant by an alert script, and found that Risberg, col. 23, lines 5-33 provides some examples; There Risberg states:

The things that can be scripted to happen upon occurrence of an alarm condition are limited only by the imagination of the user. Minimally, the script may specify an audible beep and/or change in color of an Active Object. More exotic scripts may issue commands on the network to start another process running to dial a

beeper, issue a sell order, issue a buy order, etc. Other scripts may publish some
or all the data on one or more sheets of an active document on the network, etc.

This first sentence (i.e., "...limited only by the imagination of the user") makes a vague,
blanket statement that cannot properly support a rejection of this feature under the
patent laws. The rest of that section in Risberg also does not disclose activating the
workspace according to a second state, which again refers to a different arrangement of
the same windows. In fact, Applicant respectfully submits that nowhere in Risberg is
there disclosure of this particular feature.

> **The Examiner respectfully points out that Risberg et al. is teaching scripts
> and that just about anything can be scripted, such as creating a different
> display when changing states. Therefore, while the Examiner believes
> Risberg's system could easily be used to create different displays or
> arrangement of displays when changing states, the Examiner used Apple et
> al. to show this.**

> **The Examiner notes that Applicant is limiting their claim to rearranging the
> "same windows." This is different than the Examiners prior understanding
> of a different arrangement of windows which may or may not be the same.
> Therefore, the Examiner provides other art to teach the limitation of moving
> the same windows within a workspace.**

The Applicant continues on page 3:
On page 5 of the Office Action, the Office cites to Apple as disclosing a system that
"changes the display" associated with a trigger according to some "pre-programmed
format." However, the general disclosure of "changing the display" according to a "pre-
programmed format" is not enough to support the rejection either. Indeed, it is
Applicant's understanding of Apple that "changing the display" according to a "pre-
programmed format" refers to changing graphic identifiers (e.g., corporate logos), recent
trade information, and value information on the board itself. E.g., see Apple's abstract.
In other words, Apple discloses a system that updates the board with new and different
information. This is clearly not the same as a first state and a second state, where the
second state refers to a different arrangement of the same windows than the first state.
Indeed, upon further review of Apple, there is no disclosure of this feature either.

> **This argument is moot in light of new art.**

Applicant continues on the bottom of page 3:
Applicant's claim 1 calls for specific recitation of first and second states, which are
clearly defined in the claim, and the other features of this claim are interrelated to these
states. However, as shown above, the cited references do not disclose at least this
aspect of claim 1, much less the other features of the claim. Accordingly, favorable

reconsideration and withdrawal of the rejection of independent claim 1 under 35 USC 103 are respectfully requested.

In the event that the Office maintains this obviousness rejection, Applicant respectfully requests, in accordance with the principles of compact prosecution, that the Office articulate, on the record and with specificity to support a prima facie case of obviousness, where in the Risberg and Apple references the subject feature of independent claim 1 of this defined first and second state is alleged to be taught, in addition to the other features of the claim.

Independent claim 40 recites similar limitations as independent claim 1, and is patentable for the same reasons that claim 1 is patentable. The dependent claims are patentable for their own reasons and Applicant reserves the fight to argue each dependent claim separately in the future, if the need arises. However, each dependent claim is allowable for the same reasons that their independent base claims are allowable, and therefore Applicant submits that each dependent claim is allowable for at least the reasons stated herein.

> **This is moot, given new art. However, the Examiner respectfully asserts that the prior office action supported a prima facie case of obviousness.**

Applicant would, however, like to address the rejections with respect to dependent claims 12, 13, and 16, which ultimately depend from independent claim 1. First, as stated above, the cited art fails to disclose the specific features of detecting a trigger that activates the workspace according to a second state, wherein the second state refers to a different arrangement of the same windows in the workspace than the first state. With respect to the features of claim 12 (which depends from claims 11 and 1), claim 13 (which depends from 11 and 1), and claim 16 (which depends from 1) which call for specific kinds of triggers, or data from which is trigger is based, to activate the workspace, the cited art also fails to teach these kinds of triggers for use in activating the workspace according to Applicant's specifically defined "second state." Therefore, Applicant respectfully traverses the obviousness rejection based on the cited art and Official Notice.

> **The Examiner took Official Notice with respect to claims 12, 13, and 16. However, the Examiner points out that U.S. Patent 7,158,951 to Stark teaches:**
>> **"As discussed above, the trading response to the trigger price may be controlled or adjusted by the user by specifying trading time delay or by specifying the hours in which the trades should occur (normal or extended hours)." (col. 4, lines 53-56)**
>>
>> **"The resetting of the trigger price continues for selected stocks on a daily basis, and through the trigger-price driven trading transactions**

discussed above, seeks to avoid losses and protect gains of the user." (col. 8, lines 61-64)

The Applicant concludes on page 4:
III. Conclusion
Accordingly, Applicant respectfully submits that each of these claims is in condition for allowance, and requests favorable reconsideration. If Examiner believes that further dialog would expedite consideration of the application, Examiner is invited to contact Mark Triplett at 312-476-1151, or the undersigned attorney or agent.

The Examiner respectfully maintains the rejections.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

6.   Claims 1, 3-6, 11, 14, 15, and 31-40 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent No. 5,339,392 to Risberg et al., in view of **U.S.**

Patent 7,068,288 to Good et al.

Regarding applicant claim 1:
1. (Currently Amended) A method for an event driven workspace in an electronic trading
environment, the method comprising:

defining a plurality of windows to be associated with a workspace, wherein the plurality
of windows are associated with at least two applications and the plurality of windows are
used to display information pertaining to one or more tradeable objects on a display
unit, and wherein each of the plurality of windows is displayed according to a first state
in the workspace, the first state comprising a particular arrangement of the plurality of
windows in the workspace;

> Risberg, et al. discloses:
> "The active document can be comprised of one or more sheets…" (Abstract)
>
> "Active document" … means a video displayed document of one or more "sheets"
> of the user's design…" (col. 2, lines 31-33)
>
> "Several sheets may be shown in separate "windows" or layers on the display."
> (col. 5, liens 33-37)
>
> "The invention pertains to the field of application programs for monitoring and
> managing complex systems…" (col. 1, lines 31-34)
>
> "The tools provided … allow the user to layout each sheet of the active document
> with: quotes of prices, volume etc. on various financial instruments such as
> stocks, bonds, etc…." (Abstract)
>
> "A quote is either in the normal state 27 or the alert state 28." (col. 10, lines 6-7)
>
> "When a real time data update comes into a normal state quote and does not
> trigger an alert, the "normal update" script is run." (col. 10, lines 7-9)
>
> Also, "A script is a user defined string of commands that are executed in
> sequence." (col. 10, lines 9-11)

> "The user can select which real time data is to be displayed, where it is to be
> displayed and in what format and style it is to be displayed." (Abstract)

defining a trigger to be used to activate the workspace <u>according to a second state;</u>

> "When an update comes in which triggers an alert, the "begin alert" script 30 is
> run." (col. 10, lines 19-20).   This activates a second state (Fig. 2).

detecting the trigger associated with the workspace by <u>analyzing one or more incoming</u>
<u>data feeds having a relation to the one or more tradeable objects;</u> and

> "The tools provided ... allow the user to layout each sheet of the active document
> with: quotes of prices, volume etc. on various financial instruments such as
> stocks, bonds, etc...." (Abstract)

> "The user may also define alarm limits against which real time data updates are
> compared as well as scripts of commands to be performed in case an alarm limit
> is exceeded." (Abstract).

<u>upon detecting the trigger,</u> changing a state of the plurality of windows being displayed
<u>according to the second state in the workspace, the second state comprising a different</u>
<u>arrangement of the plurality of windows in the workspace than the first state, wherein</u>
<u>the second state provides a user with a more desirable arrangement of the plurality of</u>
<u>windows in the workspace based on the defined trigger</u>.

> "When an update comes in which triggers and alert, the "begin alert" script 30 is
> run. This script takes the quote object into the alert state..." (col. 10, lines 19-
> 21). Presumably the alert script could define a separate set of sheets.

**Risberg et al. teaches an event-based system, where triggers cause changes from
a first state to a second state and a display is changed in some manner. Risberg
et al. also teaches an active document, with one or more sheets composed in a
custom manner.**

**Risberg et al. fails to teach rearrangement of the layout of a display based on a
change in state for a workspace.**

**However, Good et al., teaches a known technique of rearranging a workspace
when changing from a first state to a second state. Specifically Good et al.
teaches:**

> **"A user interface method and system for positioning graphical objects in**

the display area of a free form system is disclosed herein. A <u>selected</u> <u>object may operate in a first state where it can be moved to different</u> <u>positions within the display area. The selected object may further operate</u> <u>in a second state where movement of the selected object causes other</u> <u>graphical objects within its path of movement to also move</u>. This enables simplified organization of graphical objects in the display area by eliminating the need of a specialized tool or command to perform such an operation. The state of the selected object is indicated by a visually distinct presentation of the graphical object, for example when in the first state the graphical object is shown to have shadow to provide the visual clue that it is "above" the other graphical objects in the display area. <u>A</u> <u>user may dynamically switch between states based on signals provided to</u> <u>the system.</u>" (col. 3, lines 15-31)

"A system and method for graphical object interaction that enables a user to effectively and efficiently organize and process large amounts of data is described herein. When utilizing the system a user is able to reduce disruptions to their activity caused by the limited display space constraints of a computer controlled display system. <u>So for example, when a user is</u> <u>entering or organizing information on a workspace area of the system, they</u> <u>need not be distracted by the need to rearrange items in order to enter new</u> <u>information. This allows the user to stay "in the flow" of providing such</u> <u>new information</u>." (col. 5, lines 13-23)

"It has been determined that user interface techniques for working with such workspaces can help a user stay in the flow. For example, when generating content, a <u>key requirement for staying in the flow is to maintain</u> <u>a visible region of work--that is, to keep the item(s) that the user is working</u> <u>on</u>, together with as much context as possible, visible to the user. The system may adjust the view <u>or move objects</u> to accomplish this. A policy favoring limited occlusion or non-occlusion helps prevent items from getting lost during system manipulations." (col. 5, lines 64-67 and col. 6, lines 1-6)

This known technique of moving windows in a workspace is applicable to Riser et al. as they both share the characteristics and capabilities of alerting users when changes in states occur through the altering of a display in some manner.

One of ordinary skill in the art would have recognized that applying the known technique of Good et al. would have yielded the predictable results of alerting users by moving a display and resulted in an improved system. It would have been recognized that applying the technique of Good et al. to the teachings of Risberg et al. would have yielded the predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability

to incorporate such display features into similar systems. Therefore, applying the movement of windows to Risberg et al. with triggers, would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow a user to better stay "in the flow."

Regarding claim 3:
3. (Currently Amended) The method of claim 1, further comprising:
before changing a state of the plurality of windows being displayed in the workspace, notifying the user that the trigger associated with the virtual workspace has been detected;

> Risberg, et al. discloses:
>
> "…the alert scripts can perform operations such as changing a color, flashing an object, sounding an audible alarm or executing an external program." (col. 4, lines 21-23)

detecting a user input indicating a request to activate the workspace; and

> "Buttons can be programmed to carry out commonly performed operations such as moving quickly to an important page…" (col. 4, lines 16-19).

changing the state of the plurality of windows to be displayed according to the second state in the workspace.

> "When an update comes in which triggers and alert, the "begin alert" script 30 is run. This script takes the quote object into the alert state…" (col. 10, lines 19-21)

Regarding claim 4:
4. (Currently Amended) The method of claim 1, further comprising:
defining a trigger-on state for each of the plurality of windows associated with the workspace; and

> Risberg, et al. discloses:
> "When an update comes in which triggers and alert, the "begin alert" script 30 is run." (col. 10, lines 19-20).

when the workspace is displayed on the display unit, displaying each of the plurality of windows on the display unit based on the trigger-on state associated with each window.

"Active document" … means a video displayed document of one or more "sheets"
of the user's design…" (col. 2, lines 31-33). Therefore, the user can create script
in the "normal state" to create a plurality of sheets.

Regarding claim 5:
5. (Currently Amended) The method of claim 4, wherein the trigger-on state <u>activates
window characteristics upon detection of the trigger</u>.

<u>Risberg, et al. discloses:</u>

"…the alert scripts can perform operations such as changing a color, flashing an
object, sounding an audible alarm or executing an external program." (col. 4,
lines 19-23).

Regarding claim 6:
6. (Currently Amended) The method of claim 1, further comprising:
defining a trigger-off state for each of the plurality of windows associated with the
workspace;
detecting an expiration of the trigger; and

<u>Risberg, et al. discloses:</u>
"Then when an update comes in which is back in the normal range, the "end
alert" script will be run, followed by the "normal update script" (col. 10, lines 23-
25).

changing a state of each window associated with the workspace based on the trigger-off
state specified for each of the plurality of windows.

"Thus, the four scripts provide a way of checking for changes in the state, or for
staying in the same state." (col. 10, lines 25-27).

Regarding claims 11, 14 and 15:
11. (Original) The method of claim 1, wherein the trigger is defined at least in part based
on trader related data.
14. (Original) The method of claim 1, wherein the trigger is defined at least in part based
on market related data.
15. (Original) The method of claim 1, wherein the trigger is defined at least in part based
on news data.

<u>Risberg, et al. discloses:</u>

The Event Trigger is a specification of conditions under which the user wishes to do extra processing on the Active Object. For example, the user can set alarm limits such as a certain price or trading volume for a particular quote Active Object... (col. 23, lines 5-7).

Regarding claim 31:
31. (New) The method of claim 1, wherein a state of a window is defined as one or more of the following: active or inactive, maximized or minimized, focus of the window, hidden window, size of the window, or position of the window within the workspace.

Risberg, et al. discloses:
"The menu of commands allows the user to display an index of sheets which have been defined for a particular active document file, and to select the sheet to view. The menu options also include commands to manage sheets and sheet files, and to control the appearance of the display and the objects within it." (col. 5, lines 19-24). Further, "...when a dialog box first appears, the item in the upper left will have the focus." (col. 31, lines 15-16)

Regarding claim 32:
32. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically made active or inactive.

Risberg, et al. discloses:
"An apparatus and method according to the teachings of the invention provides a computer facility... whereby a user, using a collection of layout tools may define an active document. "Active document" as that term is used herein means a video displayed document of one or more "sheets" of the user's design...user defined scripts of commands to be processed...when an alarm limit is exceeded." (col. 2, lines 31-39) Therefore, the user can make a second state active or inactive with user defined scripts of commands.

Regarding claims 33, 35 and 36:
33. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically maximized or minimized.
35. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically placed on top of the remaining plurality of windows.
36. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically resized from the first state.

<u>Risberg, et al. discloses:</u>

"The menu of commands allows the user to display an index of sheets which have been defined for a particular active document file, and to select the sheet to view. The menu options also include commands to manage sheets and sheet files, and to control the appearance of the display and the objects within it." (col. 5, lines 19-24).

<u>Regarding claim 34:</u>
34. (New) The method of claim 1, wherein according to the second state, a focus on one or more windows is automatically adjusted from the first state.

<u>Risberg, et al. discloses:</u>

Further, "…when a dialog box first appears, the item in the upper left will have the focus." (col. 31, lines 15-16). Script could be written to perform this.

<u>Regarding claim 37:</u>
37. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically moved in the workspace from the first state.

<u>Risberg, et al. discloses:</u>

"The menu also includes commands to rearrange the location of the display object windows or boxes (the term boxes will be used herein to avoid confusion with the term windows in which separate processes may be running in multitasking environment or DOS windows environments)" (col. 5, lines 24-29) "…the menu includes options to change the order of the layers and move any particular box to the top of a stack." (col. 5, lines 30-33). Since alarms are from scripts… "The things that can be scripted to happen upon occurrence of an alarm condition are limited only by the imagination of the user." (col. 23, lines 15-18). Therefore, a script could be written that activates window characteristics upon detection of the trigger.

<u>Regarding claims 38 and 39:</u>
38. (New) The method of claim 1, wherein at least one of the plurality of windows is used to display market information.
39. (New) The method of claim 1, wherein at least one of the plurality of windows is used to display news information.

<u>Risberg, et al. discloses:</u>

"...the program can support data feeds from Reuters Market Feed 2000/IDN, Telekurs Ticker, CMQ Telerate MarketFeed, Canquote and Quotron. (col. 3, lines 17-20)

Regarding claim 40:
40. (New) A computer readable medium, for providing an event driven workspace, the computer readable medium containing a program containing instructions to cause a processor to perform the following steps:
defining a plurality of windows to be associated with a workspace, wherein the plurality of windows are associated with at least two applications and the plurality of windows are used to display information pertaining to one or more tradeable objects on a display unit, and wherein each of the plurality of windows is displayed according to a first state in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace;

Risberg, et al. discloses:
"...a computer facility... whereby a user, using a collection of layout tools may define an active document." (col. 2, lines 27-30)

"The active document can be comprised of one or more sheets..." (Abstract)

"The invention pertains to the field of application programs for monitoring and managing complex systems..." (col. 1, lines 31-34)

"Several sheets may be shown in separate "windows" or layers on the display." (col. 5, liens 33-37)

"The tools provided … allow the user to layout each sheet of the active document with: quotes of prices, volume etc. on various financial instruments such as stocks, bonds, etc...." (Abstract)

defining a trigger to be used to activate the workspace according to a second state;

"When an update comes in which triggers and alert, the "begin alert" script 30 is run." (col. 10, lines 19-20).

"A script is a user defined string of commands that are executed in sequence." (col. 10, lines 10-11).

detecting the trigger associated with the workspace by analyzing one or more incoming data feeds having a relation to the one or more tradeable objects; and

> "…alarm limits against which real time data updates are compared as well as scripts of commands to be performed in case an alarm limit is exceeded." (Abstract). Also, "The tools provided … allow the user to layout each sheet of the active document with: quotes of prices, volume etc. on various financial instruments such as stocks, bonds, etc…." (Abstract)

upon detecting the trigger, changing a state of the plurality of windows being displayed according to the second state in the workspace, the second state comprising a different arrangement of the plurality of windows in the workspace than the first state, wherein the second state provides a user with a more desirable arrangement of the plurality of windows in the workspace based on the defined trigger.

> "When an update comes in which triggers and alert, the "begin alert" script 30 is run. This script takes the quote object into the alert state…" (col. 10, lines 19-21)

Risberg et al. teaches an event-based system, where triggers cause changes from a first state to a second state and a display is changed in some manner. Risberg et al. also teaches an active document, with one or more sheets composed in a custom manner.

Risberg et al. fails to teach rearrangement of the layout of a display based on a change in state for a workspace.

However, Good et al., teaches a known technique of rearranging a workspace when changing from a first state to a second state. Specifically Good et al. teaches:

> **"A user interface method and system for positioning graphical objects in the display area of a free form system is disclosed herein. A <u>selected object may operate in a first state where it can be moved to different positions within the display area. The selected object may further operate in a second state where movement of the selected object causes other graphical objects within its path of movement to also move</u>. This enables simplified organization of graphical objects in the display area by eliminating the need of a specialized tool or command to perform such an operation. The state of the selected object is indicated by a visually distinct presentation of the graphical object, for example when in the first state the graphical object is shown to have shadow to provide the visual clue that it is "above" the other graphical objects in the display area. <u>A user may dynamically switch between states based on signals provided to the system.</u>" (col. 3, lines 15-31)**

"A system and method for graphical object interaction that enables a user to effectively and efficiently organize and process large amounts of data is described herein. When utilizing the system a user is able to reduce disruptions to their activity caused by the limited display space constraints of a computer controlled display system. So for example, when a user is entering or organizing information on a workspace area of the system, they need not be distracted by the need to rearrange items in order to enter new information. This allows the user to stay "in the flow" of providing such new information." (col. 5, lines 13-23)

"It has been determined that user interface techniques for working with such workspaces can help a user stay in the flow. For example, when generating content, a key requirement for staying in the flow is to maintain a visible region of work--that is, to keep the item(s) that the user is working on, together with as much context as possible, visible to the user. The system may adjust the view or move objects to accomplish this. A policy favoring limited occlusion or non-occlusion helps prevent items from getting lost during system manipulations." (col. 5, lines 64-67 and col. 6, lines 1-6)

This known technique of moving windows in a workspace is applicable to Riser et al. as they both share the characteristics and capabilities of alerting users when changes in states occur through altering a display in some manner.

One of ordinary skill in the art would have recognized that applying the known technique of Good et al. would have yielded the predictable results and resulted in an improved system. It would have been recognized that applying the technique of Good et al. to the teachings of Risberg et al. would have yielded the predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such display features into similar systems. Therefore, applying the movement of windows to Risberg et al. with triggers, would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow a user to better stay "in the flow."

7.   Claims 12, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over the reference as combined in section (14) above in further view of Official Notice.

Regarding claims 12 and 13:
12. (Original) The method of claim 11, wherein the trader related data comprises profit/loss ("P/L") trader related data.

13. (Original) The method of claim 11, wherein the trader related data comprises net position trader related data.

While Risberg et al., discloses… "A quote tools displays the value of an issue, including a user defined set of other fields pertaining to that particular company in a display style specified by the user. For example, a brief style displays only the price where a comprehensive style displays all the available fields." (col. 3, lines 39-41), he does not disclose profit/loss or net position trader related data. The Examiner takes Official Notice that it would have been obvious to one skilled in the art at the time the invention to include profit/loss and net position data as part of financial analysis and that this provides the trader with useful information about whether or not to buy or sell a stock and that such information can enhance investment returns to the user.

Regarding claim 16:
16. (Original) The method of claim 1, wherein the trigger comprises a time trigger.

While Risberg et al., provides for alarm limits and triggers, he does not disclose a time trigger. The Examiner takes Official Notice that it would have been obvious to one skilled in the art at the time of invention to include time considerations for a trigger and that it would be useful, for example, **where the trigger is activated during a trading session**.

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent 6,874,126

U.S. Patent 7,158,951

U.S. Patent 7,228,289

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KENNETH L. BARTLEY whose telephone number is

(571)272-5230. The examiner can normally be reached on Monday through Friday,

8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jagdish Patel can be reached on (571) 272-6748. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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/JAGDISH PATEL/
Primary Examiner, Art Unit 3693
2/29/08